

THE  
MUSLIM PROBLEM  
IN INDIA

TOGETHER  
WITH AN ALTERNATIVE CONSTITUTION  
FOR INDIA

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WITH A FOREWORD  
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BOMBAY :  
THE TIMES OF INDIA PRESS.  
1939



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## INTRODUCTION.

Last year when the *Cultural Future of India* was issued by Dr. Syed Abdul Latif suggesting the establishment of a federation of culturally homogeneous states for India as a solution—possibly a lasting solution to the age-long and vexed Hindu-Muslim problem, I was so much impressed with his outlook, that I invited him to Lahore in order that he might discuss his views with the members of the Foreign Committee of the Muslim League which was to meet there on the 29th January 1939. As a result of his conversations with them, he was requested to prepare a scheme under which the goal suggested might be reached by successive stages. In response to this request, Dr. Latif has framed a constitution for India—alternative to the one provided for in the Government of India Act of 1935 and calculated to mark the first stage in the fulfilment of the object in view. His draft constitution is now receiving the consideration of the Executive Council of the All-India Muslim League and to it, at my special instance, he has now contributed a comprehensive introduction which is given in the following pages.

The Hindu-Muslim problem in India has grown so serious since the inauguration of provincial autonomy in the country that the Muslims see no other way of consolidating their future except carving out cultural zones or separate homelands for themselves. When the Act of 1935 was being shaped in the Houses of Parliament, the Muslim Leaders could not foresee that their Hindu brethren would exploit the new constitution so as to lay the foundation of a Hindu Raj, and swamp the country with their culture and reduce the Muslims to the position of a subject people. But the experiences of the last two years have, however, opened their eyes, so much so, that they are now able to see the danger lying ahead of them. They have, therefore, rallied round their great leader, Mr. M. A. Jinnah, under the banner of the Muslim League, their

sole representative, political organization, and have resolved to fight the Act of 1935 which reduces them to the position of a helpless minority and fight it till it is replaced by a better one.

I may make it absolutely clear that the Muslims have no desire to dominate the Hindus or any other community in any part of the country and they refuse to be dominated by others. What they insist upon is equality of freedom for every community—freedom for all and not for the majority community only. And after all, it is but proper that the Muslims who number nearly 90 millions and most of whom like myself are descended from pure Indian stocks, should like to have in their own motherland every right to equality of opportunities with others for freest development on the noble cultural lines they have chosen to follow ; and that right, they fear, the Hindus are not prepared to allow them. Hence it is that the Muslims are anxious to have for themselves separate homelands where they might live a life of their own and from where they might be in a position to work with their Hindu brethren living in similar homelands of their own, for the common good of their country *as a whole*.

The idea is fully worked out in the scheme under reference. Dr. Syed Abdul Latif, scholar and thinker as he is, has touched only the fundamentals of the problem leaving the details to be filled by practical politicians and constitutional lawyers. His thesis is divided broadly into two parts. In the one, he describes the ideal which he thinks the Muslim should place before themselves if they should desire to preserve their identity in this country ; and in the other, he points out the stages whereby the ideal might be reached with the good will alike of their Hindu brethren and the British Parliament.

The transitional constitution which he has framed is such as should receive the immediate and earnest consideration of all the parties concerned—Muslims,

Hindus, Princes, and the British Parliament. It is a sort of amendment to the Act of 1935. *In the first place*, it gives to every federal provincial unit as full an autonomy as is possible under the circumstances, and to every Indian State adequate security in its internal administration, by reducing the federal list of subjects to a bare minimum. "As a corollary to this, it provides for zonal or regional Boards for contiguous federal units possessing common affinities to evolve common policies in respect of subjects of cultural and economic importance common to them, leaving the individual units to legislate in the light of the policies so evolved." *In the second place*, it suggests a composite stable executive of the American type (not a mere coalition) for every province and the centre, instead of a parliamentary executive in the English sense which will mean in practice the rule of a single majority community and not of the people as a whole. *Lastly*, it provides a machinery whereby during the transitional stage the necessary cultural and economic security might be afforded to the Muslims and other minorities at the Centre as well as in the federal units. The principle which underlies these provisions, to use the language of the author, is "to allow none to gain an upper hand over the other, and yet afford them all every moral urge to care for each other and to work together for the lasting good of their common motherland."

Although I cannot say with certainty what exactly the Muslim League would finally decide upon, I earnestly commend the scheme, in the meantime, to the careful consideration of all those earnest minds, here and in Britain, who are anxious to serve the highest interests of India at this critical stage in its history.

ABDULLA HAROON.

NAPIER ROAD, KARACHI.

July 1939.

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And if they incline to peace, then incline to it and trust in Allah; surely, He is the Hearing, the Knowing.

—*The Quran* (8 : 61.)

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## CHAPTER I.

### THE MUSLIM PROBLEM IN INDIA.

Why are the Muslims of India at this moment in a state of serious anxiety over their future? Why are they not satisfied with the provincial autonomy already inaugurated in the country under the Government of India Act of 1935; and why are they afraid of the Federation to be? Why should they look with such deep distrust on the democratic order which the new Constitution has provided for the country? Is it because they are opposed to all democracy, or is it because the Act is a denial of democracy itself, although its provisions are expressed in democratic terms? Why should they resolve to refuse to work the proposed Federation, even if the other communities were prepared to? Why should they—heirs to a glorious past, descendents of a race of conquerors and of men who in their long and chequered history had often defied fate boldly and gained a fresh lease of life—Why should they, who with fewer heads to count, had for centuries together lived in the midst of countless millions of Hindus in no state of fear, now betray such nervousness when they number nearly 90 millions, and seek refuge in an ideal of segregation, and insist on the partition of the country on that basis?

The answer to all these questions lies in the fact that the Muslims have lost faith in the Hindus and apprehend that the Act of 1935 and anything that may follow on its lines will sooner or later destroy their individuality and reduce them to the position of a helpless minority. Allied to this loss of faith in those who should be their compatriots, the Muslims carry with them the conviction that the British Parliament has set aside every moral obligation towards them in an anxious desire to placate the Hindu majority. That faith is to be restored and that Act is to be replaced, if India is to enjoy peace and progress and march forward to its goal of unity and freedom.

The real problem of India, therefore, is the problem of the Indian Muslims. You may call it the Hindu-Muslim problem or the problem of Hindu-Muslim unity, or by any other name. Are the Muslims to be assigned a position in the political scheme of life in this country such as would give them an adequate sense of security and the necessary opportunity to take their legitimate share in the governance of the country? Every other question is subsidiary to this, or rather dependent upon it, including even the question of independence; for, if the 90 million Muslims should set their face against any constitution, would that constitution ever work smoothly? That is the question which the Hindus on the one hand, and the British Parliament, on the other, should ask themselves; and if they do that in earnestness, they should have no difficulty in realising that justice and statesmanship alike require that these 90 millions should be afforded satisfaction. That way alone lies peace, progress and happiness for the country as a whole.

It is not our purpose to dwell at length on the causes which have engendered suspicion and distrust in the Muslim mind about their fellow-countrymen. That would make a sad reading. The distrust is there, deep and disquieting. The Muslim feels that the Hindu under the new dispensation, with the power that the Act of 1935 gives him, is out to exploit the machinery of government to subserve his aims. He looks therefore with suspicion on the Act itself and desires that it should be replaced by another such as might give him an adequate sense of security in a land where he has lived for a thousand years and made it his home.

He feels that the British Parliament has made a great mistake in devising for the country a form of Government out of tune with the genius of its people, their history, tradition and social organisation. He feels that the constitution is framed on the assumption that India is a composite nation which it is not and does not promise to be, so long as the Hindus and

Muslims, the two leading and major nationalities of India, continue to remain divided into two different social orders drawing direct inspiration in every detail of life from two fundamentally different religions and cultures. He feels that the democratic government which it has established in most provincial units and aims to establish at the centre will, in reality, be a government of a single majority nationality *viz.* : the Hindus on whose sufferance the other nationalities will have to live. He feels that the new constitution will reduce the Muslims perpetually to the position of a helpless minority at the centre and in most of the British provinces, as well as, in all but a few of the six hundred and odd Indian States and thereby deny to them the opportunity of social and economic regeneration and of free and independent cultural development. He feels that it neutralises the historic importance of Muslims and eliminates for ever the prospect of their acquiring a status whereby they could exercise a steadying influence on the administration of the country. He feels that it will serve only to intensify and perpetuate the prevailing cultural clashes between the Hindus and Muslims—religious, social, economic, educational and political—all operating to put off indefinitely India's attainment of political freedom.

This feeling of the Muslim is a fact of life at the present day and unless it is removed and removed satisfactorily, it is difficult to foresee a bright prospect for the country.

## CHAPTER II.

IS DEMOCRACY SUITED TO THE GENIUS OF  
THE INDIAN PEOPLES ?

The Act professes to establish a democratic form of government not merely for every provincial unit but also for the whole of India. This democratic government is designed on the English model of a parliamentary executive. And the question arises : Can the Hindus and the Muslims fit together into a democratic system of government modelled on that of England ?

The Muslims, as will readily be admitted, are a democratic people ; their very culture born of their religion is a powerful expression of the democratic instincts in man, and they may therefore be expected easily to adapt themselves to a democratic form of government. But can this be said of their Hindu compatriots ? Does the Hindu culture or their social system lend itself to any democratic interpretation, or allow any democratic system of government to be engrafted upon it. The answer to this will supply the key to the proper understanding of the difficult situation in which the Muslims find themselves under the present Act.

## HINDU SOCIAL SYSTEM.

The political ideas of democracy and liberty and the conception of equal civic rights which Great Britain has given to India are a direct challenge to the basic principles of the Hindu social structure. The main characteristics of the Hindu social life, such as caste, joint family etc., are being modified both by legislative action and the compelling pressure of social opinion. But the process is extremely slow. Caste is undoubtedly still the most powerful factor in the life of the Hindus. It regulates the daily life of the entire Hindu population and has even affected the outlook of other communities. Racial, social and occupational divisions of classes exist elsewhere, but they differ

fundamentally from the peculiar structure of the Hindu Society. Caste is not merely a principle of social divisions among them but a comprehensive system of life dealing with food, marriage, education, association and worship. It is an organized religion rather than merely a change in social order.

Whatever the origin of caste, the main principles that underly it are clear and definite. The first basic principle of caste is the inequality of mankind based on birth. The superiority and inferiority of man depends upon the caste in which he is born. Indeed this idea of innate and irremovable inequality is so organically connected with caste that it may well be described as the main characteristic which differentiates it from class organisations in other countries. The system in its rigid aspect has always a vocational background. The idea of inequality of professions therefore constitutes the second underlying principle of the caste system. It is a false basis on which to build a social system, as it deprives all except those at the top layer, of social and political influence. The absence of any element of choice in regard to one's occupation of life and the arbitrary distinctions about the dignity of various professions and the consequent social inequalities are essential characteristics of the economic aspect of the caste system. A third and equally important principle on which caste is based and without which caste, as an institution, could not have lasted long, is the absolute and rigid social exclusiveness which exists between the four main castes and the equally rigid, if not so absolute an exclusiveness of the many sub-divisions between themselves. The prohibition of marriage except in one's own caste and the extreme rigour of the punishment meted out to all marriage outside of the caste are of the essence of the system. It has broken up the Hindu community not only into four main groups but into innumerable minor groups, each marrying only within its circle, dining only with its own caste people and claiming superiority over all others. Thus the horizontal division of the Hindus

into four 'Varnas' are each of them again divided vertically into innumerable sections. And below or outside of them come those countless varieties of unprivileged humanity numbering huge millions—the social outcastes, the pariahs, the untouchables and unapproachables, euphemistically styled by Gandhiji as Harijans or God's people, and hailed by him with a new-born affection as Hindus only to swell their number and secure for them a statutory majority under a democratic constitution.

These three conceptions—inequality based on birth, gradation of vocations and rigid exclusiveness subsisting between castes, sub-castes, and outcastes—these are the bases which constitute differentiating characteristics of the Hindu caste system. Throughout this whole system permeates the dogma of Brahminic superiority. The maintenance of institutions based on such obviously unjust principles involves a conscious and deliberate policy, political, religious and educational, on the part of the Brahmins. In fact, caste is social inferiorism perfected by experience and maintained by religious sanction. Modern education, and the impact of Muslim culture have no doubt brought home to the English educated among the Hindus the evils of this system, but the reaction in *practical* life is but too *insignificant* to be noticed in any discussion of the fitness of the Hindu Society to adapt itself truly to democratic notions and forms of government.

### THE IDEALS AND METHODS OF DEMOCRACY.

The ideals and principles on which the democratic conception of society is based are in striking contrast to the Hindu system of life. The first postulate of democracy is that the state represents not symbolically but in reality the organised energy of the whole community, *i.e.*, the people. Political power, as well as social authority, rests not in particular individuals, families or groups, but in the community as a whole. Democracy would then mean a state of society,

an organisation of government, a system of social relationship in which no single individual has any inherent authority over his fellow-creatures. Thus the idea of human equality becomes the basis of democracy. The idea of human equality does not deny the importance of character, and capacity. It only insists that the subject of valuation of each man is the same, or ought to be the same if human society is to attain its fullest development. It denies the inequality of classes, castes and professions, the inequality based on birth or unalterable vocations. What democracy asserts is equality of rights, privileges and opportunities and not the equality of talent or character. Democracy is thus an organisation of society in which all power, political or other, is vested in the entire aggregate of the community. Its main principles are based on the unquestionable ethical formula that everyman is an end in himself and the State itself is desirable only in so far as it affords to the individual the best chance of self-realization.

It is thus clear that democracy and caste cannot co-exist under any conceivable set of circumstance. If democracy is not to be travestied into gross social tyranny, the authority of caste over the masses of the Hindu population has to be completely shattered. Otherwise representative institutions would give unlimited power to those who standing on the top layer of caste, can utilise its enormous influence and that of many other institutions with which it is intertwined, for their own political and selfish purposes. Indeed the fascist tendency so clearly noticeable in the high-command of the Congress at the present moment is but a phase, a development of the self-same high caste Imperialism which from time immemorial has denied to the Hindu masses their birth right of freedom. Whether the democratic ideal would sufficiently penetrate these masses is a great problem in India today. The hold of the doctrine of Karma and transmigration of souls is so great on the Hindu mind that it would require a religious revolution of considerable

magnitude to make them adopt the principle of social equality.

Such is the character and composition of the social order of the predominant population of India for whom a democratic constitution has been devised with responsible government as its goal—a type of government suited only to a homogeneous and democratic community. No one knows better than the Britisher that caste and democracy are fundamentally opposed in ideals, contrary in methods, and different in results. Still a democratic constitution has been given to the country and the truth ignored that after all the form of government of a country is but one aspect of its social organisation, and that you cannot really have a political system based on equality where the social system is based on inequality.

#### CHANGE TO DEMOCRACY TOO SUDDEN.

It may be said that the present democratic form of government introduced in India is the result of evolution. First of all, municipalities were established all over the country affording to the people the necessary initial training in self-government. Then were given legislative councils both at the centre and in the provinces. Their expansion followed in succession by the 'Minto-Morley' Reforms, the Montagu-Chemsford 'Dyarchy', and the present 'provincial autonomy.' So, it may be argued that one step has followed another in logical sequence. But that is not so. *The new system of responsible government is fundamentally or essentially different from the representative institutions given before.* The early institutions were intended to "associate" the different interests with the administration and obtain their views. But the present form of government is *an entire departure.* Here *power itself is handed over to the legislatures.* Such a step was never even contemplated by Lord Morley who said that as far as he could see parliamentary government was essentially unsuited to Indian conditions. The government which existed



in the country before the present Act, was a highly centralized government responsible only to the British Parliament. It was in fact an autocracy quite irresponsible to the people of India. The Act of 1935 brings about a sudden and fundamental change. It is a change from an irresponsible to a responsible form of administration such as would function only among a democratic and homogeneous people like the British or the French.

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## CHAPTER III.

## A COMPOSITE NATION FOR INDIA.

Did the British Parliament then which has given this constitution to India really fancy that India was a homogeneous or at least a composite nation following democratic ideals? That the life lived by the vast majority of the people is a negation of democracy, we have already seen. But are they at least a single nation, so that it may be said of the new government that it is responsible to the *whole* people?

Ethnologically India is not homogeneous; it is a congeries of races and cross-breeds. But that alone would be no hindrance to the formation of a single nation, were the people at least culturally unified. That feature is also absent. Two great cultures, not to speak of others, subsist here side by side, inspired by two separate religions affecting almost every detail of life. The two religions—Islam and Hinduism—have evolved two entirely different social orders, one a monotheistic democracy which for the sake of uniting humanity brushes aside all barriers of colour and race and language, and takes little account of geographical limitations, the other, as we have seen, a graded and diversified caste system deeply rooted in symbolism. Indeed Hinduism is not a single religion. If we may so express, it is a federation of religions or cultures, a social imperialism holding under its powerful grip, through its Brahminic ritual, people standing at every stage of intellectual development, a social system where spirituality or philosophy or even philanthropy comes in as a matter of only individual religious experience, hardly calculated to react on the general spiritual or moral uplift of the entire society. Modern education has already begun to disrupt this Brahminic order, and political awakening on the lines of linguistic provincialism may do the rest to create new divisions in the Hindu heterogeneous fold, and new racial and cultural problems, the Mahratta, the Rajput, the Gujrati, the Bengali, the Oriya, the Andhra, the

Malayali, the Canarese, the Tamilian, and so forth making *even a single stable nationality for all the Hindus* a trying task. Indeed, signs are not wanting of a powerful revival of the once great Dravidian civilisation of the South submerged for ages by the Aryan.

When such is the case with the Hindus alone what factor of unity can we then invoke to help the formation of a single nationality for the whole of India covering every section of its people, the Hindu, the Muslim, the Christian, the Buddhist and others? A common language might have served as a binding force. Even that is yet to be. Torn between the cultural assertiveness of the Hindus and the Muslims and subject to the guerilla tactics of linguistic provincialism everywhere, it is problematical whether a common language of the right sort would prosper and embrace the masses in all parts of the country.

To add to these difficulties, the field of operation for the idea of a single nationality is too vast. India is not a country; it is a continent as wide as Europe *minus* Russia. Even the unity, political or economic, that exists at present, is after all the result of British rule which so many are out to destroy.

To talk of a single nationality for the whole of India, therefore, in the absence of all the material, factors indispensable to its existence, is a bold venture and might be justifiable only if it could be pointed out that at least some kind of common moral consciousness exists permeating the entire body of the people and urging them on to live together as a nation. But does any such consciousness exist at the present day or promise to come into being?

We do not suppose that the advocates of a single nationality for India, at least the more informed among them, are not unmindful of the great obstacles that are in the way. But they point to one asset in their favour, *viz.*, the possibility of creating a countrywide consciousness through a programme of hate against foreign

domination. But they forget that every consciousness born of hate is at best an urge for wilful negation. It will not generate positive virtues such as would help us to remove the age-long social obstacles that stand in the way of evolving in our midst a common moral consciousness on which a healthy nationality might rest or a true democracy thrive.

The cultural differences of the Hindus and the Muslims remaining what they are, the idea of the two joining to form a single, though composite, nation is too remote a possibility, unless the Muslims give up their culture and identity and become a caste or sub-caste of the Hindu hierarchy, or the Hindus themselves choose to discard their symbolic life and caste exclusiveness and enter in the company of the Muslims on a thoroughly monotheistic democratic life. But is such an effort possible for the present generation of Indians ?

## CHAPTER IV.

## BLENDING OF CULTURES.

Last year when my pamphlet, the "Cultural Future of India" was published, Gandhiji having read it, did me the honour to write and say: "I see we look at things from different angles of vision. I believe in the possibility of the two cultures blending. The difficulties which you picture won't baffle me." The opinion such as this coming from one in his position deserved great respect; and I have ever since given serious thought to the question: Could the two cultures, such as they are, so blend into each other as to create a composite nationality for India as envisaged by the great man?

I know that there are in every community a few men of sweet or accommodating disposition who talk glibly of a common Indian culture. I believe, one or two Indian Universities have even found chairs for the subject. But it is difficult to ascertain what the common Indian culture in reality is. It is true that, through centuries of intercourse between Hindus and Muslims, a spirit of mutual tolerance and even of respect has occasionally manifested itself in parts of the country, and there has followed as a result a process of interaction in ways of living materially assisted by a common climate. But this interaction, if you carefully examine, is primarily in the externals of life, and has left the inner soul of each of the two cultures unaltered. The externals of life are always affected wherever the followers of two cultures live together in a country, but that is no index to their inner life-currents. Real blending should be of the spirit, and manifest itself in common ways of thought and living, in common personal laws, in common ideals and in common worship. There is no doubt that the demands of civilized life all over the world are such that when two different communities live side by side for a long time, they could not but soften the asperities of each other's character, and impose courtesy and tolerance

on the attitude of each towards the other. But this cannot be called adoption of a common culture.

The true seat of culture is the mind of man, because as is the mind, so its manifestation in every field of life's activity. In its social or group aspect, it marks a distinct social order, informed and inspired by a common outlook on life or by a common faith. It is an expression in daily life of the religion an individual or a group has chosen, and marks a definite attitude towards life. It is such fixed attitudes which distinguish one culture from another, and from which flow the peculiarities of expression in language and literature, in art and science, in modes of thought and living of the different nations of the earth.

But in India, in spite of our talk of a common Indian culture, *two* great currents of life, *two* great social orders, *two* great cultures subsist side by side—one a monotheistic democracy as we have already pointed out, the other a social hierarchy deeply rooted in symbolism,—owning allegiance to two fundamentally different faiths. What blending could be expected between cultures so distinctly different in their attitude towards life? The blending of two such cultures calls for a blending of the religions themselves which have inspired them; and what blending is possible between a monotheism manifesting itself in a democratic order of life and a symbolism or polytheism which strikes at the very root of the democratic sense in man?

It might be asked what relation culture has with religion and what has either culture or religion to do with politics? The truth is that culture is synonymous with life, and life is the expression of one's deepest convictions. It is religion in action. Life, according to Islam, for instance, is indivisible and there is nothing private which does not react on one's public activity. One cannot lead a double life entirely segregating one side of it in the process of expression, whether in the field of literature, art or science, econo-

mics or politics, in one's domestic surrounding or in the market place. Culture is therefore cultivation of the mind or its manifestation in all the things which denote life and the mind is moulded and shaped by its ideals. That truth holds in individual as in agreed group life.

"The apex and crown of the human culture-pyramid," says Egon Friedell, "is formed by religion. All else is but the massive under-structure supporting its throne, and having no other aim than to lead up to it. In religion is the fulfilment of custom, art, and philosophy." Another great thinker, Friedrich Theodor Vischer, writes:—"Religion is the capital of historical symptoms, the Nilometer of the mind."

Even Gandhiji when he was asked what his motive in life was, "the thing that leads us to do what we do," whether it was religious, or social or political, said :—

"Purely religious! This was the question asked me by the late Mr. Montagu when I accompanied a deputation which was purely political. 'How you, a social reformer,' he exclaimed, 'have found your way into this crowd?' My reply was that it was only an extension of my social activity. I could not be leading a religious life unless I identified myself with the whole of mankind, and that I could not do unless I took part in politics. The whole gamut of man's activities today constitutes an indivisible whole. You cannot divide social, economic, political and purely religious work into watertight compartments. I do not know any religion apart from human activity. It provides a moral basis to all other activities which they would otherwise lack, reducing life to a maze of 'sound and fury signifying nothing!'" (*Harijan*, Dec. 24, 1938).

If it is religion which ultimately supplies the motive for lasting socio-political activity, and which is the basis on which a culture rests, how can the Muslim

and Hindu cultures blend unless Hinduism blends with Islam? Is that possible? Can Gandhiji suggest a technique whereby this may be achieved? The Muslim certainly will not give up his monotheism and his democratic ways of life. That will be going down the scale. In fact, he has for several centuries fallen short of his old standard, has degenerated, and has now to reform himself and improve. What then is the alternative? Will the Hindu make a bold venture to build at least a half-way house by discarding his ritualism and his caste? Will he adopt democratic ways of living, not of the Aryasamajist type betraying aggressive hostility towards the Muslims, but based on fraternal feelings towards them. No doubt under the stress of political necessity he has begun to talk of democratic ideas of liberty, equality and fraternity. But will he put them into practice, at least within his own fold, so as to prepare a common ground for the Muslim to enter upon. Blending may begin when that is done. The social reforms so far attempted are mere luxuries; and are mostly confined to the small circle of Hindu politicians who though inspired immediately by Islam or Christianity seek always to refer them to their own ancient past. At all events, these social reforms have not touched the Hindu masses on whom Gandhiji has a great religious hold. He himself has done nothing substantial so far to prepare the condition helpful to the blending of the two cultures which he looks forward to?

The last 25 years have undoubtedly been years of tremendous awakening among the Hindus; and that awakening may be traced in a large measure to his personal influence. But neither he nor any of his followers can deny that his one aim in life has been to consolidate Hinduism, and that to him his Hinduism has been synonymous with Indian nationalism. The Muslim culture would come in for his recognition if and only it could fit into his own brand of Hinduism. His *Hindi-Athwa-Hindustani* movement, his Wardha and Vidya Mandir schemes of education, and his attitude



towards that provocative polytheistic song, *Vande Mataram*—all, show the type of blending *he* likes. Under his influence, the intellectuals among the Hindus have gradually and at times with determined effort discarded one after another the things which were a common heritage from the country's past, the heritage left by the traditions of the Moguls; so much so, that today even those who talk the loudest in favour of Hindu-Muslim unity and Indian nationalism are found among those who in dress, in language and ways of living do not like to resemble the Muslims, much less to adopt anything in common with them. What blending does Gandhiji expect under such conditions?

Even in politics—the politics of his Congress—the same spirit is at work. I need not recall or review the whole history of this body, interesting as it is, but shall merely look back to the year 1932 when Gandhiji played with his life at Yaravada over what might apparently seem an electoral issue, *viz.*, the granting to the untouchables the right to return to the Councils of the State representatives from among themselves enjoying their confidence. He staked his life to prevent this and he did it not in the name of India's freedom, not in the name of an Indian nationality, but merely to 'consolidate Hinduism', as he put it. A little before this memorable fast, he had expressed himself at the Round Table Conference:—

"I would not sell the vital interest of the 'untouchables' even for the sake of winning the freedom of India. Here I speak not merely on behalf of the Congress, but I speak on my own behalf. It will create a division in Hinduism which I cannot possibly look forward to with any satisfaction whatsoever."

From Yaravada he reiterated:—

"I hold that separate electorate is harmful for them (untouchables) and for Hinduism, whatever it may be from the purely political stand-

point. So far as Hinduism is concerned, separate electorates would simply vivisect and disrupt it."

Here we have the key to the Congress programme furnished by one who has been for so long guiding its destiny. So politics, even with the Congress, is inseparable from religion! If the Congress electoral arrangement is to consolidate Hinduism or further the cause of a *Hindu* nationality, what hope could there be of evolving a common nationality for India which could embrace all castes, and creeds and communities? And how could any constitution work satisfactorily or work at all which like the Act of 1935 is based on the assumption that India is, or will soon become a "composite nation", when leaders of the calibre of Gandhiji would not allow her to transcend the narrow bounds of the ancient culture of the Hindus?

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## CHAPTER V.

## ACT OF 1935 AND MUSLIM REACTION.

It must be clear by now that the Act of 1935 embodies principles inapplicable to India, and transfers political power not to the people as a whole—Hindus, Muslims and others—but practically to a single majority community, the Hindus, whose hierarchical social system would not allow the new power to be well distributed even among their different castes, but would concentrate it in the hands of but a few intellectuals who belong chiefly to the upper strata of society. The executive formed from such can scarcely be expected to represent the Hindus in general, much less, the non-Hindu communities. Besides, every system of responsible government—to be really successful—should have a two-party organisation, and the parties should be more or less equally strong. Not merely this, the opposition should be vigilant and effective, so as to enable one party to displace the other. Is there any possibility of two such parties being formed in India where owing to the intolerance of the Hindu intelligentsia, political life has already begun to run on communal lines? If therefore one and the same party continues to govern on the strength of its numbers, it is apt to grow more or less tyrannical in its treatment of minorities. There are, no doubt, political minorities in other countries; but there what is a political minority today may become a majority tomorrow by persuading others to its point of view. Here in India a religious minority like the Muslims can never become a political majority, and will therefore have to live entirely on the sufferance of the majority. A responsible government formed under such circumstances will not be a government of the people and for the people. It will be a government responsible to a single community only and will degenerate into a form of tyranny.

That indeed is the type of government which has been established in every Congress province, and which

will be formed even at the Centre if the federal part of the present Act such as it is should come into operation.

To add to the misfortune of Muslims, the new rulers are really new to the difficult and delicate art of government. Never in their past history were the Hindus called upon to rule over non-Hindus such as Muslims on any large scale. In the declining days of the Mogul Empire, no doubt, a few enterprising individuals from amongst them carved out of the country a number of Hindu principalities. But then their rule in such areas was the rule of rebels enjoying no stability, and before they could build up any traditions of a just rule, they fell under the enervating influence of the British power and direction, and lost all initiative. But the bulk of Hindus remained what they were for ages—a subject people. And to them is the opportunity given now to control the destinies of the great masses of this sub-continent, not less than 90 millions of whom belong to the martial races of Muslims who had ruled over them for centuries. And as has happened so often in history in such cases, the new rulers having no hereditary aptitude for governance have not been able to resist the lure of power, and have therefore developed an urge to put down their erstwhile masters and to force their own culture upon them. That is the impression which the Muslims in India have received on their minds from what has happened during the last two years in all those provinces which have come under the control of the Hindu majority.

The Muslim leader, Mr. M. A. Jinnah, than whom no greater patriot lives in the country, has tried to impress upon the leaders of the majority community, that the way they were going was not the way of unity and that it would create endless civil strife and put off indefinitely India's attainment of freedom. But his voice has gone unheeded. He has told them that if a new constitution is to lead the people of India to freedom, that freedom should be for every

cultural unit and not for the majority community only. But the Hindu leaders flushed with their new power are not in a mood to come to terms with him on the basis of equality. Mr. Jinnah has asked for nothing but fair treatment. His one desire is to have for the country a constitution under which no single community, Muslim or Hindu, should gain an upper hand over the other. The high-command of the Congress, which is essentially Hindu in composition and organisation, would agree to no such proposition. It insists that the voice of the majority, of whatever sort it might be, should prevail in the administration of the country and points out in its support what happens under certain democratic constitutions, by conveniently ignoring the peculiar circumstances of India. So these people, living a most undemocratic social life, demand democratic institutions, only to exploit them for swamping the whole country with their undemocratic Hindu culture !

A strong reaction has therefore set in among the Muslims. At no time in their recent history were they brought face to face with a prospect so fraught with gloomy anxiety. They know that behind this new constitution is the British power, and that if they resist the constitution they will have to risk the opposition not only of the Hindus holding the reins of Government but also of the British power which has placed them there. But the Muslims have nevertheless taken decisions. They will resist this constitution with all the strength that they still possess and fight it to the bitter end.

In their present frame of mind, they recollect what they were in this country, and how it was from them that the Britisher received the *de jure* as well as the *de facto* right to rule in the country. If now, for reasons of his own, the Britisher chooses to divest himself of the right, partially or fully, they feel that it was his moral duty to see that the Muslims were not left entirely to the tender mercy of the Hindu community. They regret that the Britisher has forgotten that of the two—the Muslim and the Hindu—

it is the Muslim who possesses the greater talent for administration and that it is he who supplies the largest number of soldiers to the Indian Army and has therefore a special right to control the administration of the country.

With all that, the Muslim has been sensible enough not to aspire to have the chief voice in the governance of the country under the new constitution. He has simply desired to share it equally with others. But the high-command of the Gandhian Congress and the Congress Ministers are too imperious to admit the claim. What is likely to follow is not difficult to foretell. Should the Muslim take it into his head to fight this growing menace of Hindu Imperialism, not all the power behind the Hindus and the new constitution could save India from the turmoil of a Civil War. Let us pray fervently that our country will be spared that calamity. But the Hindus will be courting it, if they aim to impose their Hindu nationalism on the Muslim through the machinery of the States. It would prove futile on the part of the Congress to count upon a handful of the so-called Muslim nationalists. These will be swept off the board "unhonoured and unsung" when the crisis comes. The internecine wars of the past in India, be it noted, were not fought on communal lines. They were mostly fought with a motley crowd of mercenary soldiers enlisted by particular dynasties, or ambitious individuals who worked with no higher motive than riches and self-aggrandizement. A civil war on the other hand between Muslims and Hindus, should it ever unhappily break out, would be fought on absolutely different lines. It would be a war such as India never knew before in its long history and would not be confined to any single province, or locality, but would spread like wild fire throughout the length and breadth of the country, and maul and maim every community. It is therefore the duty of everyone concerned, the Congress and other Hindu organisations, as well as the British government, to see that the present situation which is serious enough does not grow worse.

## CHAPTER VI.

## PROBLEM ESSENTIALLY CULTURAL.

The Hindu-Muslim problem is really a cultural—using the term in its wider sense—rather than a purely political problem, and affects the future of two great communities, none of whom would like to merge into the other, but both might be willing to live together on the best of terms possible. The idea of a composite nation in a country of heterogeneous castes, creeds, and cultures should therefore be banished altogether. It will not thrive on the Indian soil. Suspicions deep and abiding exist between the two nationalities. That nobody dare deny. If India is freed from the British domination, the Hindus fear that there might again be an extension of the Muslim political influence from the North-West on which side there is a block of Muslim countries extending right up to the Atlantic, a block which is gradually acquiring a pan-Muslim consciousness that might one day set in motion new forces calling for a readjustment or re-distribution of power between the different parts of the world. Consequently, the Hindu nationality in India, in spite of every profession to the contrary, seems to have set its heart on *purna swaraj* or independence that could be expressed substantially in terms of the Statute of Westminster, as that would give them the controlling voice in the internal administration of the country and at the same time the indispensable British protection from any invasion of the country from the North West. On the other hand, the Muslims could not but feel that the acquisition of such power by the Hindu nationality would place the Muslims forever under its subjection and allow them little chance for an independent existence on their own cultural lines. The suspicion on either side is a genuine suspicion and will need to be permanently allayed if India should achieve lasting peace and happiness.

## SOLUTION.

Any solution that may be suggested should provide for two things—Cultural autonomy to each Indian nationality or community, and Political unity for India.

If these should form the indispensable needs of the country, there lie open before it one of two ways, or to be more accurate, the one leading to the other. One is to allow each community or nationality to fit into the existing conditions and adjust their relationship in a manner that may allow none to have any commanding influence over the other ; the other is to alter the existing conditions and create separate homelands or cultural zones for the different Indian nationalities all bound together by a common political nexus, and thus eliminate forever the never-ending clashes arising everywhere out of the fundamental cleavage existing between their cultural ideals, and social orders.

Of the two ways of settlement, the former may be effected even at once, if the leaders of the majority nationality could take a realistic and sympathetic view of things, and do not aspire to appropriate to themselves the right to speak for the whole country through any organisation predominantly Hindu in composition. That would be camouflage and camouflage does not pay in the long run. It must bring its own reaction and make the solution more difficult. The safest course is to allow each nationality to express its united mind through its own organisation. That is what fairness demands, and that is the immediate need of the country, if suspicions are to be allayed. A co-ordinating agency of a few representatives from each such organisation might then be formed to prepare a common programme under which they could all work together for a constitution, such as would for the time being be acceptable to every nationality in the country—a constitution which should allow none to gain an upper hand over the other, and yet afford them all every moral urge to care for each other,



and to work together for the lasting good of their common mother-land.

This more or less was the line of approach Mr. M. A. Jinnah had all along taken to bring about a settlement. The Congress has, however, remained adamant. It refuses to negotiate with the Muslims on terms of equality. Twice last year negotiations were opened between them, and each time they fell through for the same reason, and the Congress ministries have gone on boldly with their programme of encircling the Muslims. The resultant insecurity for Muslims in most of the Congress provinces is too apparent to be described in detail. During the last twelve months more riots have taken place in a single province—the United Province, the haunt of Pandit Jawaharlal Nehru—than in as many years under the former British administration. Studied and insidious attempt on the part of Hindu organisations have been made to wage war on all Muslim strongholds, particularly, Hyderabad, to which the Muslims all over India look up as the central seat of their culture and a reminiscent of their great empire. The situation is growing so serious day by day that the Muslims have well-nigh lost every hope of lasting reconciliation with the Hindus who will not be satisfied with anything less than the establishment of a Hindu Raj in the country. They see no prospect of a rapprochement with them on terms of equality. With hopes shattered in that direction, they find no other option but to demand partition of the country on some basis whereby they might live in security.

To those in England who have no personal acquaintance with the present day conditions in India, the remedy which the Muslims seek might appear rather too drastic ; but the Britishers who have lived and worked among the Indian people and have given a thought to the vexed Hindu-Muslim problem will certainly not look upon the idea of partition as a dream fantasy. There is probably no other *permanent* solution to this problem. Owing however to the practical difficulties

lying in the way, the easy going Muslim leaders of the day may agree to some makeshift arrangement with the High-Command of the Congress. But so bitter has been the experience of the general Muslim public since the inauguration of provincial autonomy, that they, at any rate, will not choose to remain off their guard in future ; and so long as that feeling of distrust remains, a makeshift arrangement will at best be a patchwork, and will hardly conduce to lasting harmony. Unfortunately for the country, the Hindu leaders have betrayed their designs rather too precipitately.

#### RECONCILIATION.

Personally I believe in the possibility of a reconciliation—a reconciliation which at least in our time might suspend mutual acerbities, if the Hindu leaders of every complexion, Congressites, Mahasabaits, Arya Samajists and others sincerely feel contrition over the wilful designs they have had on the Muslims and agree to a constitution for the country which, as I have already pointed out, “should allow none to gain an upper hand over the other, and yet afford them all every moral urge to care for each other, and to work together for the lasting good of their common motherland”.

I am asking the Hindu to go through this fire of purification and strive for a change of heart, because during the last 2 years it is he who has quietly tried to exploit the State machinery to subserve purely Hindu ideals. Even if he is not wholly to blame, the highest interests of the country demand that he should cease to force his Hindu Imperialism on the Muslim and being in the majority extend his hand of friendship to him, and he will be the happier on that account. If he could but develop such a frame of mind, the Muslim, I am sure, will relegate his new bitterness into oblivion, and stand shoulder to shoulder with him in every enterprise. But the reconciliation that I look forward to will need to be expressed in the form of an agreed constitution for our country ; and towards that end, I have suggested an outline of an alternative constitution to the one provided

for in the Act of 1935, which may furnish a basis for an agreed plan.

But, if the Hindu Leaders should feel hesitant or refuse to come to terms with the Muslims in the honourable manner suggested here, taking the present feeling of the Muslims into consideration, and their fears and their resolves, it is difficult to think of any other solution to the Hindu-Muslim problem except partition of the country so as to allow the Muslims definite homelands of their own where they might live a life of security.

### PARTITION.

The question before us then would be : should this partition come through peaceful means, or, should it come through dreadful ordeals? So far as the Muslim is concerned, he is sincerely desirous of a peaceful settlement and he trusts that every other party will reciprocate his wish ; for, if everyone concerned should apply his mind to the proposition, he would find that no one stands to loose anything thereby. Neither the British nor the Hindus need feel apprehensive about the result. What the Muslim desires to have is nothing but a portion of the land where he, even as a child of the soil, may live a life of his own allowing to every other the same privilege on the basis of perfect equity. That is not going against the interests of either the Hindus or the British. It is therefore up to them seriously to think whether in the interests of peace and order in the land and of peaceful relations between the two countries, they should not both work with the Muslim to establish a federation of culturally homogeneous states for India formed through a feasible exchange of population extending conveniently over a number of years.

The proposal was originally put forward last year in the *Cultural Future of India*. But prior to this, for several years, the Muslim mind, particularly in the North-West, was sporadically engaged on what is now known as the Pakistan scheme. That scheme argued

the need for dividing the country into two parts, one to be administered by the Muslims, and the other by the Hindus. The one under the Muslim control, to be styled Pakistan, was to comprise the Punjab, Sindh, Baluchistan, North-West Frontier Province and Kashmir; and the other to consist of the rest of India. The idea was to have two separate and independent federations in the country. The principle underlying the scheme was that the Muslims should be rulers somewhere instead of being subjects everywhere. The real objective was the capture of political power in that part of the country where the Muslims predominated.

The scheme had one great advantage—it did not involve any exchange of population. But in other respects, it was at best a patch-work, and no permanent solution to the Hindu-Muslim problem. It certainly placed the Muslims of the North-West in a position of decided vantage. But what about the Muslims living in the minority in the rest of India? What about the Hindus and the Sikhs in the Pakistan itself? Should they live on the sufferance of the Muslims? How will this eradicate the age-long cultural differences between the two nationalities? The scheme seemed to suggest that the Muslims of Pakistan would accord to the Hindu minority there the same treatment as meted out to the Muslim minority in Hindu India. But who was to guarantee such reciprocity? It argued even retaliation. Clearly, the scheme was a separatist move involving endless complications. The same might be said of a few other plans recently proposed in the same spirit called ‘Indusstan,’ ‘Bengassam’ and so forth emphasising essentially parochial needs and aspirations.

The scheme which the “Cultural Future of India” urged as a *last resort*, should every attempt at reconciliation fail, was something fundamentally different. It was a scheme for the unification of India on natural lines, and was therefore entirely Indian in outlook. It embodied a pressing tendency of modern life noticeable in the international world to allow every cultural unit a geographical home which one might call one’s own and

on which one might raise the edifice of a prosperous nationality. The suggestion was simply this that since there was no possibility of the Muslim and Hindu cultures fusing together or blending, and thereby evolving a common nationality for both, the only sensible procedure for the two nationalities was to work for a federation of culturally homogeneous states for India, and form a nation of at least the type of Canada where two different races work together for a common country while living in separate zones of their own.

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## CHAPTER VII.

## CULTURAL DISTRIBUTION OF INDIA.

As things stand, India may be divided into four cultural zones for the Muslims where homogeneity may be introduced and at least eleven for the Hindus. The Indian States interspersed all over the country may be distributed between the different zones in accordance with their natural affinities. Each such zone will form a homogeneous State with a highly decentralized form of government within, wherever more than a unit should compose the zone, but fitting along with similar States into an All-India federation.

## MUSLIM CULTURAL ZONES.

## 1. NORTH-WEST BLOCK.

Taking the case of the Muslims first, there is at present a great Muslim block in the North-West consisting of Sind, Baluchistan, the Punjab, North-West Frontier Province and the Indian States of Khairpur and Bahawalpur. This area may be converted into a single autonomous State formed on the basis of federal relationship between the six units thereby allowing over 25 millions of Muslims a free home of their own.

## 2. NORTH-EAST BLOCK.








Right on the other side of India, the North-East, there is a solid block of Muslims in Eastern Bengal and Assam of over 30 millions, who may be assigned a free political existence.

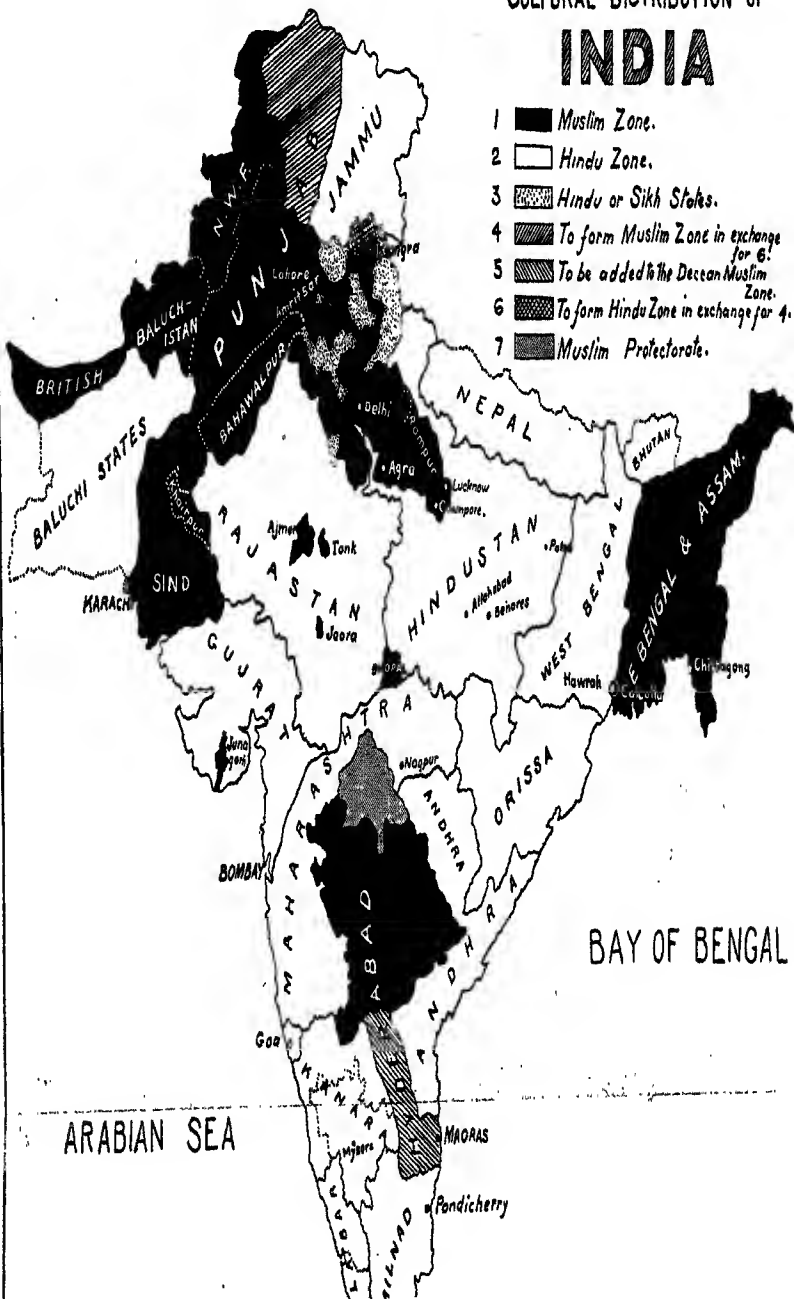
## 3. DELHI-LUCKNOW BLOCK.

In between the two above-mentioned blocks the Muslims are unevenly distributed. Those of this area living close to each of the two blocks should be attracted for naturalisation to the one nearer to them. The rest, the great bulk, belonging at present to the United



# CULTURAL DISTRIBUTION OF INDIA








- 1  Muslim Zone.
- 2  Hindu Zone.
- 3  Hindu or Sikh States.
- 4  To form Muslim Zone in exchange for 6.
- 5  To be added to the Deccan Muslim Zone.
- 6  To form Hindu Zone in exchange for 4.
- 7  Muslim Protectorate.

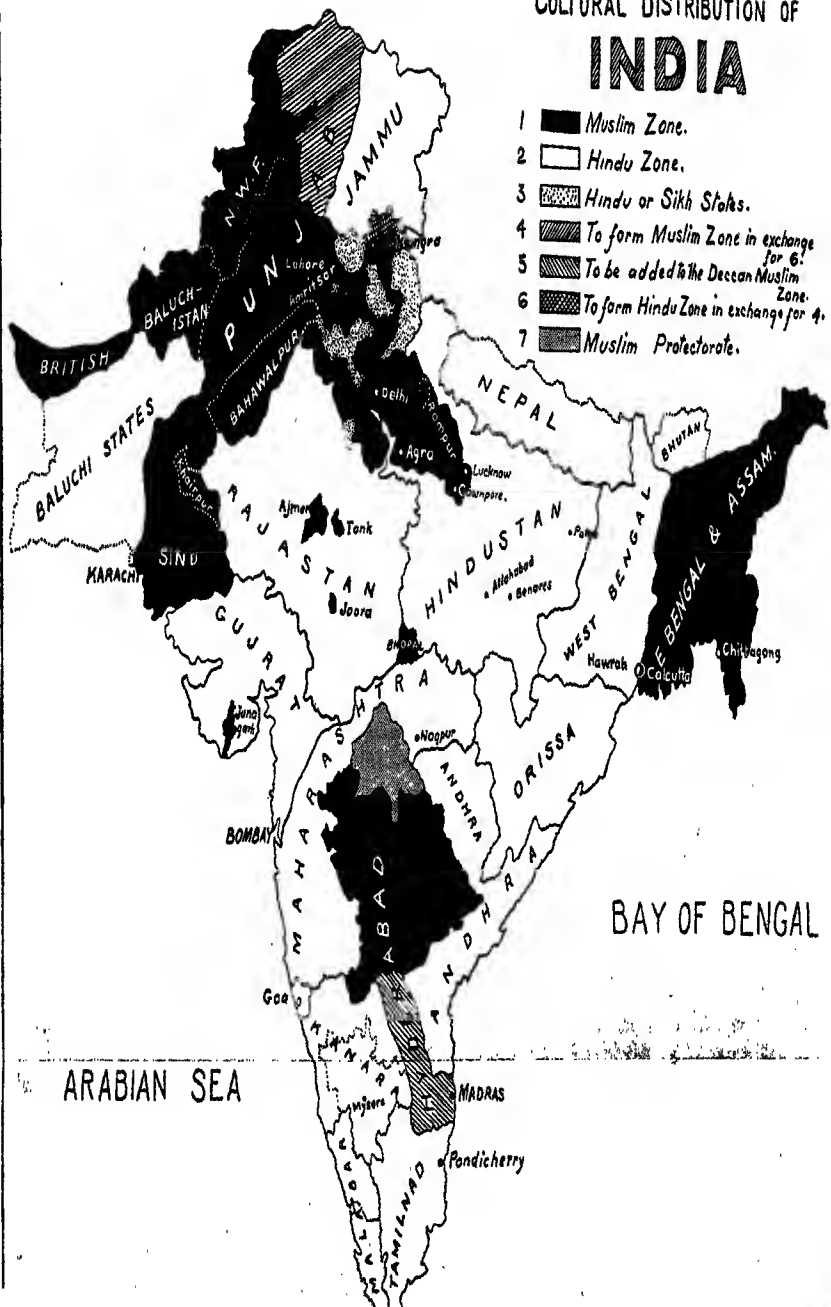






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flourished here for centuries consummating in the time of the Moguls when the whole of this area formed part of a single Suba.

The area assigned to this block may appear to be rather too large for the number of Muslims to accommodate. But there are special factors which are to be taken into consideration. Large portions of the Dominions of Hyderabad are still undeveloped or rather covered by either forests or barren rocky tracts. The Muslims from a vast peninsula are to be gathered here—from Central Provinces, the whole of Bombay and the Madras Presidencies, Mysore, Cochin, and Travancore. Most of the Muslims of the areas concerned have shown phenomenal increase in population during the last few decades, and their future expansion is to be kept in view. Moreover, the Muslims of the North-East, and Delhi-Lucknow blocks will be confined to narrow zones. The Deccan block will provide a settlement for surplus population from these blocks. There is this also not to be lost sight of. The minor communities such as the Christians, the jungle tribes and a vast section of the Harijans innured to the climate may most likely stay on where they are as privileged communities adding thus to the total quota of population that may legitimately be allotted to the area.

In respect of this block, it may be suggested that since the Hindus form the majority of population in Hyderabad, the Muslim minority may as well shift to somewhere. If the idea is to be given effect to, a zone is to be carved out for them somewhere in the peninsula. It may be kept in view that as many as five cultural zones have to be allotted to the Hindus under the scheme in this peninsula—the Mahrattas, the Andhras, the Tamilians, the Kanarese and the Malayalis each with an exclusive boundary of its own. If the Muslim zone is to be shifted from the central place in the Deccan, it will have to be pushed into one of the five Hindu zones. That will be bifurcating the Hindu zone

concerned and destroying its linguistic or cultural homogeneity. That is the reason why a neutral ground is chosen to serve as a zone for the Muslims south of the Vindhya, and such a neutral zone is what is known as the Dominions of Hyderabad where three different Hindu nationalities, the Mahrattas, the Andhras and the Kanarese have overspread themselves from their natural homelands on either side. The members of the three nationalities may now join their respective main stocks and live a compact homogeneous life with their own kind, leaving the neutral area to concentrate within it the entire Muslim population from all over the peninsula. It is only a matter of coincidence that this neutral land happens to be the domain of a Muslim ruler; but the thought of making it a homeland for Muslims is not chosen on that ground, although the coincidence may offer considerable facility in the final settlement.

Minor Muslim Centre:—In suggesting the formation of the above four blocks for the Muslims, the case of those living in Rajputana, Gujrat, Malwa and Western India States, has not been forgotten. They will need to be concentrated in the territories of the Muslim States of Bhopal, Tonk, Junagadh, Jaora and others, and in a newly constituted Free City of Ajmer on the same basis of the exchange of population.

### HINDU CULTURAL ZONES.

The rest of India will now be in a position to resolve itself into not less than eleven Hindu cultural zones guaranteeing permanence to every Hindu cultural interest in the country. To begin from the East, a part of Bengal (1) with probably a little extension into the present Bihar, which may have cultural affinities with it, may form a zone exclusively for the Bengali Hindus. The Oriya speaking people may be grouped together now in a greater Orissa (2). West Bihar and the territory lying between it and the proposed Muslim block of Delhi and Lucknow and extending from the Himalayas down to the Vindhya including some of the

Central Indian States which fall within this orbit may together form another zone. The Hindu sacred centres of Hardwar, Allahabad, Benares, Muttra and other will all fall within this area. This will be the 'Hindustan' proper (3) where the basic Aryan culture may enjoy the fullest freedom for further growth and influence with a rejuvenated Hindi probably supplying a fresh inspiration. The Rajput States of Rajputana (4) may form together another zone reminiscent of their epic life. Gujrat (5) with the Hindu Kathiawar principalities may be grouped into a separate zone where the Gujrati culture may pursue a life of its own. The Mahrattas (6) with their strong national characteristics and a culture of their own should be assigned a territory for themselves. In like manner the Dravidian group of cultures, the Canarese (7), the Andhra (8), the Tami-lian (9), and the Malayali (10) will need recognition for a separate existence on their own individual lines.

A similar zone (11) will have to be provided to the Hindus and Sikhs of the Muslim block in the North-West. In respect of them it may be suggested that the Hindus of Sind may be assigned to the adjoining Hindu zones of Gujrat and Rajputana. As for the Hindus and Sikhs in the Punjab or the rest of the Muslim block, a zone may be formed composed of all the non-Muslim States at present under the Punjab States Agency to be occupied entirely by the Hindus and the Sikhs, who materially do not differ from each other in culture. The Hindu State of Kashmir will need to be included in this Hindu-Sikh zone. There is a predominant Muslim population in the State. The districts occupied by them may by mutual agreement be transferred to the Punjab proper and in return, a portion of the North-East of the present Punjab comprising the Kangra Valley be added to the jurisdiction of the Maharaja. This zone will be large enough to accommodate all the Hindus and Sikhs living in this part of the country.

#### ROYAL COMMISSION.

The creation of the above Hindu and Muslim zones should fulfil the political aspirations of every cultural

unit and provide for each a free homeland in proportional extent of the habitable area to its strength in the total population of India. The demarcation indicated here of the different zones are merely suggestive in character and may be properly determined by a Royal Commission appointed for the purpose.

### EXCHANGE OF POPULATION.

The exchange of population involved in the proposed scheme, may no doubt at first create a wrench in the heart of many a person, Hindu or Muslim, attached to a particular soil. But the advantages which may ensue should far outweigh this consideration. With economic *status quo* assured in his new home to every individual through a system of reciprocity a new sentiment immeasurably higher and nobler than that of earth-rootedness will be his inevitable reward. As the exchange proposed is not merely to promote the cause of India's unity but permanently to assure to the Hindus and the Muslims perfect freedom to live their own cultural lives in homelands of their own, every incidental inconvenience will have cheerfully to be borne by everyone concerned. Indeed in the transitional stage exchange may as an experimental measure take the form of a voluntary movement.

The idea of exchange of population, after all, should not be so strange to the twentieth century with its multiple means of easy transit; and with good-will on either side and the process spread over a conveniently long period, incidental inconvenience may be minimised. The inconvenience may be the greater in the case of the Muslims who, barring the two blocks at either end of the North, are dispersed all over the country in detached colonies. The question of their concentration into the Delhi-Lucknow block or the Deccan will involve evident sacrifices. But it is better that the present generation of them face the ordeal manfully rather than leave the task to their children who may not probably have a chance of a peaceful exchange which at this time may be possible for us to

effect. Indeed such migration or exchange is not new to the Muslim races. In the case of the Hindus the shifting will be comparatively over a short distance and into the same climatic conditions. Indeed the exchange of population in respect of the Muslim block of Hyderabad will be all to their advantage ; for here inhabit three different Hindu races speaking three different languages of their own, *viz.*, Telugu, Canarese and Mahratti. They will now be gathered to their respective main stocks in the adjoining zones and enjoy a homogeneous life with their own kind. The exchange ultimately is a question of compensation for property in all forms left behind by the migrants ; and that should not be difficult to settle between the governments of the federal units concerned. The preparation of registers of those who will be involved in the exchange and the determination of the reciprocal financial obligations of the federal units concerned may take time ; but it can be done, if the two parties are in earnest to promote a country-wide unity on the basis of individual security.

Under the proposed order the following provisions will need to be embodied in the Constitution :—

*Public Law of Indian Nations.*—(1). Individuals belonging to one or other of the several nationalities may for special purposes, live in zones to which they do not culturally belong. Such individuals will be afforded security of person and right of citizenship under a 'Public Law of Indian Nations' to be adopted by the Central Government.

*Religious Shrines, etc.*—(2). All religious shrines, monuments and grave-yards belonging to the Hindus or the Muslims and left behind by either will be preserved and looked after by each federal state under the supervision of the Central Government.

*Christians, Parsis, Buddhists, etc.*—(3). The smaller nationalities such as the Christians or



Anglo-Indians, Parsis and Buddhists will be afforded by each state, Muslim or Hindu, all the necessary religious or cultural safeguards which they might need to preserve their individuality. They will at the same time have the right to ask for a cantonal life for themselves, if they should desire it at any time.

*Harijans*.—(4). The various depressed classes and untouchables, styled Harijans, dispersed as they are all over the country and forming countless racial varieties and possessing no common culture between them, and being mostly landless, will be given perfect liberty to choose the Hindu or Muslim zones to form their permanent homelands where they will enjoy the fullest right of citizenship, even as the Christians or Anglo-Indians, Buddhists and Parsis.

Such is the federal order which the Muslim is anxious to see ultimately established in the country. There is nothing in the conception which should not be agreeable even to the creed of the Congress who too look forward to re-fashioning India on a cultural basis. "The Indian National Congress," states a joint production issued by Pandit Jawaharlal Nehru, Mr. Narendra Deo and Professor K. T. Shah, "has accepted and acted upon the principle of linguistic division of provinces. That division usually coincides with cultural groupings and local sentiment and should be made the basis of a future reconstruction." In the same strain, only recently, did Dr. Pattabhi Seetharamayya, a prominent member of the Congress high-command come out with a scheme for the distribution of the country into cultural zones. So, there should be no difficulty in the two communities putting their heads together and reaching some settlement. The present scheme is indeed more thorough-going and scientific, because according to the Congress ideal, cultural distribution is to follow linguistic lines, whereas under this, the cultural lines are fuller, comprehending the linguistic as well. The Congress proposal gives no cultural

autonomy to the Muslims, while under this scheme every cultural unit, be it Hindu or Muslim, is given a homeland of its own, where it may develop on its own lines in a spirit of good-will towards every other unit. Not merely this, it offers to the smaller minorities—the Christians, the Parsis, the Buddhists, the Anglo-Indians and others—cantonal lives if they choose to have. And then it leaves the Indian States intact, even as they are today, to enjoy wherever necessary a common regional and cultural life with contiguous territory possessing common affinities. The scheme, above all, does not in the least disturb India's connection with Great Britain as may be settled between them from time to time.

Such being its peaceful outlook, it deserves the earnest consideration of every well-wisher of India anxious to remove permanently from the life of the country the chronic differences which have kept the two great people of India, the Hindus and the Muslims, on terms of estrangement at the present day. The scheme is a scheme for unity and not for disruption.

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## CHAPTER VIII.

## ALTERNATIVE CONSTITUTION.

## SECTION I.

In the closing pages, I have outlined a constitution for India which may mark the first step towards the realization of the zonal ideal described in the preceding chapter. That outline may as well be considered on its own merits without reference to any such ideal, and as an immediate solution to the problem before us.

*In the first place*, the proposed constitution gives to every provincial federal unit as full an autonomy as is possible under the circumstances and adequately safeguards the rights of the Indian States and their rulers by reducing the federal list of subjects to a bare minimum. As a corollary to this, it provides for zonal or regional Boards for contiguous federal units possessing common affinities to evolve common policies in respect of subjects of cultural and economic importance common to them, leaving the individual units to legislate in the light of the policies so evolved. *In the second place*, the proposed constitution gives to every provincial unit and the centre a composite stable executive with an agreed policy instead of a parliamentary executive in the English sense as provided for in the Act of 1935. *Lastly*, it provides a machinery whereby cultural and economic security may be afforded to the Muslim and other minorities at the centre as well as in the federal units.

These features may be considered seriatim.

## PROVINCIAL AUTONOMY.

We know that there is a body of opinion which supports the theory that in a federation the centre should retain as much of residuary power as possible. In other words, the centre should be quite strong. Such a theory could not hold good in a sub-continent like India. In fact, the idea of a federation composed

of units of diversified character and following diversified systems of government ranging from autocracy to democratic autonomy would not be a federation in the strict sense of the term. It would at best become an arrangement to keep together units which owe allegiance in some manner to an Imperial centre. The truth is that India is vast and varied enough to be quite capable of forming itself into several natural federations on different cultural lines. But at this stage, it is necessary in the highest interests of the country as a whole that the divergent units should not all be yoked together except in matters which are absolutely common to all, such as defence, foreign affairs, commerce, communications and the like. To attempt to bring them all under a single administration for other purposes also, would be tantamount to a sort of forcible usurpation of the power which should vest with the federal units. The following are the chief directions in which this interference will make itself felt adversely:—

1. India is a land where several cultures subsist side by side. There are broadly speaking two great cultures, the Muslim and the Hindu, each of which very often require separate treatment by legislation and otherwise. The Hindu culture is in reality a loose federation of several cultures marked by differences in languages and customs, social habits and laws. For instance a Nambudiri Brahmin of Malabar has nothing in common with a Machwa Brahmin of Bengal or a half-Muslim Brahmin Pandit of Kashmir. Each in his own individual jurisdiction supplies a background to the social life of the Hindus peculiar to the part of the country where he lives. Such examples can be easily multiplied to demonstrate the vertical as well as the oblique fissures cutting and separating the Hindu society throughout the country. If, suppose a subject of cultural bearing should be adopted by legislation at a centre, it will mean forcing on the whole country a culture which would be, to say the least, quite inconsistent with the cultures of several units prevailing at

the same time in numerous places! And when the fact is taken into consideration that a great community like the Musalmans will come under the purview of such a legislation, it is bound to result in a conflict and its accompanying stress and strain. The object and aim of the proposed scheme is to avoid such unpleasant contingencies and social disturbances. The provision holds good as much in the economic field as in other fields.

2. It is a matter of common knowledge that the Indian States are afraid to join the federation chiefly because they apprehend that the federal interference would operate adversely on their internal independence. As no federation would succeed unless and until the Indian States willingly and cheerfully join to work it, it would be height of statesmanship to allay fears of the States in every respect. Under the proposed scheme they will have the necessary sense of security such as would make them willing and contented units of the federation.

3. From the standpoint of Muslims as of other minorities, it is necessary that the residuary powers should vest only in the provincial units and in the proposed regional boards to the necessary extent. As minorities in most federal units, the position of the Muslims would be one of comparative dependence on the Hindu majority. If the centre also should exercise its jurisdiction in matters which might as well be dealt with by the constituent units, the position of the Muslims and other minorities will become more difficult, because under the constitution of the Act of 1935, the majority community of India would not fail to dominate at the centre, as well as, in the provinces, subjecting the minorities to the treatment, as it were, of a double-edged sword. Such autonomy as the Muslims might have under the Act in a few provinces would become useless to them by reason of the domination of the great Hindu majority in the important subjects of the concurrent list. Should "the federal

list" be confined to a bare minimum of items, it would certainly be a great relief, as it would give a sense of security to minority communities, as well as to hundreds of Indian States both large and small. After all, in a country where a single homogeneous nation is impossible to evolve, any attempt on the part of a majority community to seize power at the centre in the name of nationalism would be undiluted high-handedness which the Musalmans who had long ruled that community could not brook under any circumstances whatever.

### ZONAL BOARDS.

With full autonomy conceded to federal units by reducing the federal list of subjects to a bare minimum, and by eliminating in consequence the concurrent list altogether, the need will be felt for co-ordinating the activities of such contiguous units as enjoy common affinities in respect of subjects of cultural and economic importance common to them. To meet this need zonal or regional boards are suggested to enable such groups to evolve common policies on common problems, leaving the individual federal units, whether Indian States or Provinces, to legislate in the light of the common policies so evolved. The formation of such regional boards will dispense with the need of resolving such groups into sub-federations which will simply multiply administrative and legislative paraphernalia in the country.

### THE EXECUTIVE.

It has already been explained how a parliamentary executive in India would in practice degenerate into a permanent communal executive responsible only to a single majority community on whose sufferance all minorities would have to live. To safeguard against the possible tyranny of communal majority, the proposed alternative constitution provides for a stable though composite executive suited to the peculiar new conditions demonstrated above. Such an executive

following an agreed policy would assure peace and order to the country in general and a complete sense of security to the minority communities in particular. The executive must needs be not only strong but also quite stable ; otherwise it would reflect the changing attitude of the legislature from time to time—the legislature which under the existing system of franchise is bound to be dominated by one or other community in the provinces, and wholly and permanently by a single community at the centre. Since such a stable executive could not be composed of members belonging to the majority party alone but should necessarily be drawn from all parties or groups, its policy would not be other than the result of a compromise or of an attempt to reconcile different points of view. The general lines of such an agreed policy would have to be laid down by mutual agreement in a Conference of representatives of political organisations of the different communities and that on an all-India basis.

The executive called “ Composite Government ” of the character adumbrated above is different from the executive called “ *Coalition Government.* ” The latter comes into existence where there is a plurality of parties or groups, none of which, nor two or more of which, can command all absolute majority. Such a contingency is not possible under circumstances that can be envisaged at present. In most provincial legislatures we have but a big party which represents only the majority community. It is only when there is a split in the big party that coalition comes in as in Bengal, where the Muslims are divided and where consequently the government is very weak. The Executive of a Coalition Government therefore is always an unstable government, and even when it is reshuffled, it would still be a coalition government. In order therefore that peace and order—the two primary objects of every government—should be maintained effectively, more particularly when there is conflict of interests and cultures between the two leading communities neither of whom is willing to accept the political

domination of the other, a composite stable government, such as exists in America and follows an agreed policy, is the only form of government that is likely to arrest the disintegration that has already set in as a result of the Act of 1935. The form of such a composite stable government can be settled between the communities concerned, although as a basis of discussion we have suggested that the Prime Minister in each province should be elected by the entire legislature to function during the life-time of the legislature itself. He should be free to select his own colleagues on the executive in terms of the ratio to be fixed on an all-India basis by agreement between the communities concerned. The Executive selected by the elected Premier will not be removable by any adverse vote of the legislature and will devote itself exclusively to the welfare of the people by following a policy agreed by the members composing the government.

## SAFEGUARDS.

Under the section dealing with safeguards, the proposed transitional constitution has suggested ways and means whereby the interests of the Muslims, as well as of other minorities, may adequately be safeguarded both in legislation and administration; and they are so self-explanatory that they need not be discussed here at any length.

The scheme which follows is given in the form in which it was prepared for the consideration of the All-India Muslim League.

## SECTION II.

### OUTLINE OF ALTERNATIVE CONSTITUTION.

The transitional constitution for India will have to fit into the conception of the ultimate federation outlined in the preceding chapter, and must lead to it.



This will necessitate the creation of certain new Provinces on cultural or linguistic lines *without involving immediate exchange of population*. The new Provinces may be constituted even piecemeal, but one of them at any rate, should be carved immediately out of the present United Provinces. It should be formed with a view to resolving it eventually into a Muslim zone, and a permanent home for all the Muslims living at present in U. P. and Bihar.

## TRANSITIONAL FEDERATION.

It is for the "Constitutional" lawyers to work out the details of the transitional constitution, but any such constitution should embody the following provisions:—

1. In the Preamble, it must be clearly brought out that the aim of the transitional federal constitution laid down is to lead India to a federation of culturally homogeneous states.

## 2. LEGISLATION.

(a) The Federal Legislative List should be reduced to a minimum number of items and be confined only to subjects which concern the common political and economic interests of India as a whole.

(b) All other subjects should form the Provincial list subject to the following proviso:—

## REGIONAL BOARDS.

There may be subjects of cultural and economic importance common to contiguous federal units and it will be found useful to have for them Regional or Zonal Boards to evolve common policies, leaving the individual federal units to legislate in the light of the common policies so evolved.

Three of the zones may be constituted as follows:—

1. North-West Zone composed of Sind, Baluchistan, N.W.F.P., Kashmir, Khairpur, and the Indian States of the Punjab Agency.

2. North-East Zone composed of Bengal and Assam.

3. The Dominions of Hyderabad.

The rest of India may be resolved into linguistic zones even as the Congress may wish.

The above arrangement has two advantages :—

- (i) It will remove Cultural Legislation from federal control.
- (ii) It will develop a zonal or regional sense necessary to evolve culturally autonomous states, which the transitional constitution is to lead to.

## SAFEGUARDS FOR MUSLIMS.

Whatever be the nature of the transitional federal constitution, whether consisting of newly formed units as suggested above or of units in their existing form, the Muslims will need the undermentioned safeguards to be incorporated in the Constitution.

### A. REPRESENTATION ON LEGISLATURE.

1. The system of separate electorates for Muslims should be maintained, as well as the existing proportion of Muslims in the several Legislatures.

2. The inclusion of the Indian States in an All-India Federation should be made dependent upon their returning to the Central Legislatures a sufficient quota of Muslims so as to allow to their community, in view of their political importance, and particularly of their predominant share in the defence of the country, *at least* a third of the seats at the Centre.

3. If the proposed Zonal or Regional Boards are established the Muslims should be allowed adequate and effective representation commensurate with their total strength in the Legislatures of the several units composing each zone.

## B. LEGISLATION.

All subjects touching their religion, personal law and culture will be the exclusive concern of the Muslim members of the Legislature concerned, constituted into a Special Committee for the purpose. The strength of the Committee should be augmented by a third by co-opting, representative Muslims learned in Muslim Law and Religion. The decisions of such a Committee should be accepted by the whole Legislature. If such decisions, should they seem to affect the interests of other communities, might on reference made by the head of the Administration be reviewed by the Legislature as a whole, but no amendments shall be permissible which should affect the basis of the legislative enactment.

## C. EXECUTIVE.

The executive Government of the Ministers in each province or at the centre should not be drawn from the majority party alone as is the vogue in homogeneous democratic countries like England. Here in India, it is the majority community which permanently returns the majority of members to the Legislature and, in as much as the majority community, namely, the Hindus, unfortunately differ from the Muslims, the next largest community in the country, in almost every detail of domestic and social life, the governance of the country by a permanent majority in the Legislature resolves itself into the governance of the country by the majority community only, and cannot be expected to be a Government of the whole people.

The executive that needs to be chosen for every province and the centre should, in the present stage, be a *composite executive* representing Hindus and Muslims with an agreed policy acceptable to both, and not liable to be turned out by the Legislature. That should be the arrangement, at any rate, until India resolves itself into a federation of culturally autonomous states, when alone true democracy may take its birth in the country, and responsible Government justified.

Under the transitional constitution, therefore, the Executive should be not a "parliamentary executive" in the English sense, but a "stable executive" independent of the legislature as in the great democracy of the United States of America, but the Prime Minister instead of being elected directly by the people as the President in U.S.A., should be elected by the entire Legislature, and should remain in office during the life of the legislature, and will not be removable by it. He will choose his colleagues or ministers in the interests of good government from the members of all groups in the legislature, an equitable number of whom should be Muslims enjoying the confidence of the Muslim members of the legislature concerned and should be selected from a panel suggested by them.

2. Of the two provinces into which U. P. will be divided, the Prime Minister for the Muslim province should be a Muslim, as this area will have in the transitional period to prepare itself to resolve into a Muslim zone, and will have its policy to be directed by a Muslim.

3. In the case of the portfolios affecting Law and Order and Education which have to deal with problems over which cultural differences arise, provision should be made to have a Minister and an Assistant Minister and to appoint a Muslim to either of the two posts, in order that the Government may have the benefit of his steady influence.

#### D. PUBLIC SERVICE COMMISSION.

It should be provided in the Constitution that in all provinces where the Muslims are in a minority and at the centre, one at least of the members of the Public Service Commission should be Muslim, part of whose duty shall be to see that the ratio fixed for the Muslims in public services is properly adhered to in practice by the Government concerned.

### E. JUDICIARY.

The personal law of the Muslims should be administered by Muslim Judges.

### F. MUSLIM BOARD OF EDUCATION AND ECONOMIC UPLIFT.

It should be provided in the constitution that in each provincial unit a Muslim Board should be established to control and supervise the cultural side of the education of Muslims, their technical and industrial training, and to devise measures for their economic and social uplift. For this purpose a proper budgetary provision shall be made.

### G. SPECIAL TAXATION.

If for any special object, the Muslims are willing to tax themselves, the necessary legislation should be passed.

### MACHINERY TO EFFECT EXCHANGE OF POPULATION.

One of the objects of the transitional constitution is to facilitate and prepare the ground for the migration of Muslims and the Hindus into the zones specified for them so as to develop them into culturally homogeneous states. During the transitional period migration should be on a voluntary basis. For this the necessary legislation will have to be passed for each region, and a machinery set up to organize and regulate this voluntary migration. The proposed constitution will therefore have to provide for the appointment of a Royal Commission to lay down a suitable programme of gradual exchange of population.

The result of voluntary migration may be reviewed from time to time and if it should be found that it has eliminated the cultural clashes between the Muslims and the Hindus to an appreciable extent and given them a sense of security wherever they need it, or has brought

about a change of heart in either camp, the question of compulsory migration may be put off indefinitely, and the voluntary method adhered to for a further term.

SYED ABDUL LATIF.

*Hyderabad-Deccan.*

